

Minutes of a Town Council meeting held on November 8th, AD 2012 at 7:00 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also in attendance: Richard S. Humphrey, Town Solicitor, Tom Dunn Business Manager, Donald Gomez, School Committee Chairman and Kathryn Crowley, School Superintendent.

Salute to the Flag.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the October 18, 2012 Town Council meeting minutes.

Announcements:

1. The Council President expressed the Town's gratitude for the quick response of Little Compton's Fire Department, Police Department and private citizens during a recent house fire on Round Pond Rd. A local resident had recently cleaned up debris on the access road to the area which had been damaged due to Hurricane Sandy. This factor and the quick response of multiple departments responding to mutual aid contained the fire damage to a single room.

2. Congratulations were expressed to the successful candidates as a result of Tuesday's Election. The Town is grateful for those residents who step to the place to run for elected offices.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Fire Department Head Reports for August and September 2012.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance Department Head Report for October 2012.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Police Department Head Report for September and October 2012.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint William L. Moore to serve as the interim representative of town employees, other than members of the IBPO or IAFF, to the Pension Committee until the town employees conduct their annual appointment of a representative in April 2013.

Several residents of the neighborhood surrounding the Town Landing have expressed concerns over the condition of the property. The Council President, Councilor Appleton and the Police Chief have met with some of the residents to discuss their concerns. This evening Rob Marra, speaking on behalf of the residents petitioned the Council to take some action to begin to correct the situation. During a lengthy discussion several issues raised.

- grass is worn out from over use, including ruts which have been created by vehicles driving over the field during periods of heavier rains
- seems to be over used by person(s) who are not town residents
- concerned that the Town does not want to expend funds on this area
- the neighborhood feels out of town surfers seem to have discovered this area causing over use

Suggestions:

- strategically place signage to warn the public of the restricted use for the community for recreational purposes only
- segregate a parking area to help prevent vehicles from driving over the field which causes further damage
- seek assistance of a landscape architect to design a parking area
- consider a permit type of process to acknowledge who properly belongs using the area

- **issue tickets or tow vehicles if person(s) are unwilling to leave when asked**
- **consider placing a port-a-jon on-site for sanitation purposes**
- **request the solicitor research allowable actions based on the deeded restrictions**

Council comments:

- **no designated funds explicitly for this purpose, although contingency funds could assist for minor expenses**
- **individuals have offered pro-bono work in the past, this will be investigated further for landscape architectural services**
- **basic repairs and preparations to create a designated parking area and re-seed the lawn are areas where funds could be spent**
- **the deed restricts the use to recreational purposes for the community and free to all, therefore charging a fee would not be allowed.**
- **If first measures do not succeed in deterring excessive use by individuals who are not of the community then ordinances could be amended to include either a fine for parking, or a towing fee**
- **Other ordinance changes for parking are in the process of development for consideration, potentially this could be included within that future session**
- **Old telephone poles could be used or boulders to depict the parking area**
- **A local property owner may be willing to deed the town her portion of the roadway entering into the landing**

- **An aggressive action of towing or ticketing may result in individuals parking in summer residents laneways. We should avoid unintended results from our reactions to the problem**

At 7:47 PM a medical emergency occurred with a member of the audience. A brief recess was taken to allow the EMT's to attend to the individual.

Returning to open session at 8:06 PM with the following:

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To request Councilors Appleton and Bodington to work with Chief Wordell and the residents of the Town Landing area to create a plan for signage, creating a designated parking area and potentially a future ordinance change as a first set of actions to be taken regarding steps to be taken to repair and prevent further damage to the Town Landing from overuse.

Councilor Mushen gave an update on the status of the Wilbur McMahon School Building Project. The Project now consists of the following:

- **The School Committee has voted to select ADS Construction as a contractor, for a revised bid price of \$10.1 M**
- **Project soft costs, plus contingency costs of \$1.8M result in the**

following

Current renovation budget of $\$10.1\text{M} + \$1.8\text{M} = \$11.9\text{M}$

- revenue sources available: Authorized to borrow $\$11.3\text{M}$ via a RIHEBC bond, with a bond anticipation not of $\$9.8\text{M}$ expected to provide resources by mid-December**
- School Committee has allocated $\$1.1\text{M}$ of surplus from prior year appropriations**
- Subject to completion of FY12 audit this month, an additional allocation of $\$100\text{K}$ of surplus is anticipated**
- Meetings with RI Dept. of Education have identified opportunity to qualify for additional rebates which total over $\$100\text{K}$**
- Total currently available: $\$11.3\text{M} = \$1.1\text{M} = \$1.1\text{M} = \$1.1\text{M} = \$12.6\text{M}$**
- Temporary housing of students during construction will be in two buildings on the Peckham lot – cost $\$1.0\text{M}$**
- $\$700\text{K}$ of this cost will be provided from revenues shown above**
- Remaining $\$300\text{K}$ to be funded from a combination of appropriated school resources and town capital funds**
- Project Manager completes down-scope discussions and initiates site work for temporary buildings**
- Council authorizes signing of construction contract**
- Council authorizes solicitation of Bond Anticipation Note**

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council

President to work with Bond Counsel and the Town Solicitor to review the proposed construction contract with the firm of ADS Construction, and, upon a successful review, to execute the contract with ADS Construction.

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize and direct the Financial Advisor to solicit Bond Anticipation Note in the amount of \$9.8 million in preparation for the Wilbur McMahon School Building Project.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint Susan Sisson as the Town's Director of Social Services for a term which will expire December 1, 2014.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint Paul Borges as the Town Sergeant for a term which will expire December 1, 2014.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint Richard F. Rogers

and William Makepeace to serve as Trustees on the LC Municipal Trust for terms which will expire December 1, 2014.

The Town Clerk shall continue to post the remaining vacancies on town boards and commissions.

The Council President noted that FEMA representatives have met with Town officials concerning the aftermath of Hurricane Sandy. Subject to meeting the qualifying requirements 75% of the submitted Hurricane related damage will be reimbursed to the Town. Some of the areas noted within the application for reimbursement are South Shore Beach, Massachusetts Road, safety expenses and tree removal fees.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To increase the fee for a one ton 9' snow plow to \$69 per hour based on the Director of Public Works recommendation.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a resolution received from the Town of Charlestown supporting the Low and Moderate Income Housing Act and a supporting Program Analysis.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize a response to be submitted to Insurance Services Offices, Inc. concerning the Town's most recent Building Code Effectiveness Grading Schedule Survey Results.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To conduct the Town's Annual Christmas Tree Lighting Ceremony on December 2, 2012 at 5 PM in conjunction with the Ben Wilkie Memorial Tree Spree.

Richard S. Humphrey, Town Solicitor left the Council Chambers at this time having asked to be recorded as abstaining from any action on the next item.

Comments have been received from Mimi Karlsson concerning the Sakonnet Point Club Outflow draft permit. Comments responding to Ms. Karlsson's have been received from the Sakonnet Point Club and its engineer. Councilor Mushen noted that in his opinion the RI Dept. of Environmental Management has worked closely with the Sakonnet Point Club on this permit process and is intimately aware of the scientific data involved. Councilor Mataronas noted that the fishermen have worked with the Sakonnet Point Club and are satisfied that testing has been done and will continue to be

conducted to monitor the matter.

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, voting in favor (Appleton, Golembeske, Mataronas, Mushen) Councilor Bodington abstained from any action on this subject: To place on file comments received from Mimi Karlsson and Christopher Burns, Sakonnet Point Club regarding the SPC Outflow draft permit process.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place in the Councils Budget Folder a request for funding received from East Bay Community Action Program.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the consent calendar as follows:

- 1. Letter sent to the Council President announcing a partnering of RI Blue Cross & Blue Shield with a new pharmacy benefits manager – Catamaran PBM of Illinois Inc.**
- 2. Letter from Erin B. McKenna announcing her departure from the Solicitor's Office in order to take on a new position elsewhere.**

Motion made by Councilor Bodington, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$70,782.87

Home Depot - Maintenance \$19.97

Tom's Lawn & Garden - Maintenance \$40.60

Coded Systems - Code supplement \$863.50

Carol A Wordell - Town Clerk \$52.98

Tyler Technologies - Treasurer \$150.00

Tyler Technologies - Treasurer \$3,426.02

Paychex of New York LLC - Treasurer \$397.43

Valcourt Heating Inc. - Town Hall \$148.75

Richard S. Humphrey - Town Solicitor (Oct 19) \$3,570.00

Richard S. Humphrey - Town Solicitor (Oct 31) \$3,570.00

Allied Court Reporters - Zoning Board \$125.00

WB Mason - Misc. Depts. Town Hall \$287.44

Saunders Sale & Services LLC - Maintenance \$64.90

FR Modern Printing - Assessors \$54.50

LGCD - Auditors \$3,276.00

Nationalgrid - Transfer Station \$19.44

Nationalgrid - Public Safety Complex \$519.91

Petro - Diesel \$1,050.37

Cox Communications - 32 Commons \$27.93

KTR Maintenance & Supply - Town Hall \$45.32

Petro - Town Hall \$1,598.99

Matthew Benders & Co. Inc. - Town Hall \$120.87

Able Restoration Inc. - Public Safety Complex \$4,500.00

Don's Marine Inc. - Fire Dept. \$51.98

Rob's Auto Care, Inc. - Fire Dept. \$270.00

Rob's Auto Care, Inc. - Fire Dept. \$2,807.35

Paul's Press Printing - Fire Dept. \$44.00

Comstar - Fire Dept. \$733.38

Don's Marine Inc. - Fire Dept. \$50.98

Shipman's Fire Equipment Co Inc. - Fire Dept. \$81.45 \$4,039.14

Direct Energy - Transfer Station \$12.42

Effluent Technologies - Wastewater Treatment Facility \$2,490.44

Direct Energy - Public Safety Complex \$635.98

Petro - Gasoline \$2,097.89

Nationalgrid - Street lights Town Dock \$38.88

Nationalgrid - street lights \$21.75

United Site Services - Transfer Station \$115.00

John J McNamee, CPA - Audit work \$1,123.20

Shay Austin-Leary - Zoning/Building/Planning Board \$511.00

Postmaster - Zoning Board \$45.00

LGCD - Auditors \$2,652.00

Dave Venancio - Electrical Inspector \$390.00

WB Mason - Town Hall / Town Clerk \$171.53

KTR Maintenance & Supply - Public Safety Complex \$1,080.00

**Franlart Nurseries - Hurricane Sandy Tree Warden
Cleanup \$10,555.00**

Vic's Car Wash - Drug Forfeiture \$19.00
 Salsbury Industries - Drug Forfeiture \$645.00
 Thomas Wood - Drug Forfeiture \$310.00
 Rhode Island Attorney General - Drug Forfeiture \$90.00 \$1,064.00
 W.B. Mason - Police Dept. \$202.73
 Belmont Springs - Police Dept. \$37.94 \$240.67
 Imperial Municipal Partners - Building Official \$458.00
 Direct Energy - Street Lights Town Dock \$9.69
 Direct Energy - Street Lights \$9.16
 Anthony DeSisto - Planning Board Legal Services \$1,337.50
 Cox Communications - Town Hall Depts. \$253.38
 Cox Communications - Computer \$252.00
 Everlasting Designs - November computer \$1,600.00
 Everlasting Designs - new computer Assessor's office \$700.00
 WB Mason - Clerk/Treasurer/Town Hall \$168.46
 EastBay Comm. Action Program - Student Asst.
 Counselor \$2,381.10
 William L Moore - Building Official \$141.74
 Joseph Rego - Highway Dept. \$6,480.00
 Goulart Petroleum Inc. - Fire Dept. \$342.52
 Shipman's Fire Equipment Co Inc. - Fire Dept. \$1,575.00
 Northeast Rescue Systems - Fire Dept. \$122.00
 Belmont Springs - Fire Dept. \$17.50
 LG Communications - Fire Dept. \$420.10
 Imperial Municipal Partners - Fire Dept. \$165.00
 Verizon - Fire Dept. \$40.01

Verizon - Fire Dept. \$30.19

Verizon - Fire Dept. \$50.06 \$2,762.38

Paychex of New York LLC - Treasurer \$378.68

William L. Moore - Inspections \$450.00

Board of Canvassers misc. poll workers expenses - \$2,186.96

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:25 PM.

Carol A Wordell, Town Clerk